



REGULATORY AGENCY ACTION

ney, a county counsel, or a district attorney. This bill is a two-year bill pending in the Assembly Committee on Public Safety.

The following is a status update on bills discussed in detail in CRLR Vol. 9, No. 3 (Summer 1989) at page 67:

AB 102 (Filante) deletes the requirement that the model medication program of the Legislative Task Force on Medication Misuse seek and train volunteers to operate and finance the program. This bill also deletes the existing duties of the Task Force. The bill was signed by the Governor on September 19 (Chapter 511, Statutes of 1989).

AB 229 (Polanco), as amended July 6, restricts the distribution, possession, and use of hypodermic needles and syringes. This bill was signed by the Governor on September 12 (Chapter 373, Statutes of 1989).

AB 1591 (Condit), which amends section 1056 of the Health and Safety Code to include anabolic steroids on the list of controlled prescription substances, was signed by the Governor on September 20 (Chapter 567, Statutes of 1989).

AB 1729 (Chandler), as amended August 22, makes it a misdemeanor for any person to subvert or attempt to subvert any examination, as specified. This bill was signed by the Governor on September 29 (Chapter 1022, Statutes of 1989).

The following bills were made two-year bills, and they may be pursued when the legislature reconvenes in January: **AB 1066 (Isenberg)**, which would require health maintenance organizations to allow non-contracting pharmacies to provide services to beneficiaries and to be paid an amount equal to the contract payment; **AB 1177 (Kelley)**, which would make technical nonsubstantive changes in section 4008 of the Business and Professions Code relating to the Board of Pharmacy; **AB 1397 (Filante)**, which would require pharmacist consultation when an initial prescription is filled or when a pharmacist deems that a consultation is warranted; and **AB 1986 (Ferguson)**, which would create felony criminal and civil penalties for prescribing controlled substances to minors without the written consent of parents or guardians.

FUTURE MEETINGS:

January 31-February 1 in Sacramento.
March 28-29 (location undecided).
May 30-31 (location undecided).

POLYGRAPH EXAMINERS BOARD

Executive Officer: Dia Goode
(916) 739-3855

The Polygraph Examiners Board operates within the Department of Consumer Affairs. The Board has authority to issue new licenses and to regulate the activities of an estimated 655 examiners currently licensed in California under Business and Professions Code section 9300 *et seq.* The Board has no jurisdiction over federally-employed polygraph examiners and very limited jurisdiction in the non-criminal arena.

The Polygraph Examiners Board consists of two industry representatives and three public members, all appointed to four-year terms. The Board has a sunset date of January 1, 1990.

MAJOR PROJECTS:

Regulatory Changes Approved. On July 17, the Office of Administrative Law approved the Board's modified versions of sections 3486 and 3488, Chapter 34, Title 16 of the California Code of Regulations. Section 3486 sets forth procedures for the issuance of fines and citations, and section 3488 establishes an informal conference procedure for resolving citation disputes. (See CRLR Vol. 9, No. 2 (Spring 1989) pp. 71-72 for extensive background information.)

LEGISLATION:

SB 1494 (Dills), as amended September 11, would have recast and revised the statutes regarding the licensing and regulation of polygraph examiners under the Penal Code and would have transferred the powers and duties of the Board to the Department of Justice. This bill was vetoed by the Governor on October 2.

In light of the veto, the Board will sunset on January 1, 1990. Board Executive Officer Dia Goode believes the veto and the legislature's failure to reenact any of the existing provisions offering protection to consumers from incompetent polygraph examiners into the Civil Code are particularly unfortunate. In other cases of agency abolition or sunset, consumer-protective statutes are retained and moved to another section of the code (see *supra* agency report on BUREAU OF PERSONNEL SERVICES; see also Vol. 6, No. 4 (Fall 1986) p. 35 for background information on the abolition of other agencies).

RECENT MEETINGS:

The Board has not met since October 28, 1988.

BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS

Executive Officer: Darlene Stroup
(916) 920-7466

The Board of Registration for Professional Engineers and Land Surveyors (PELS) regulates the practice of engineering and land surveying through its administration of the Professional Engineers Act and the Professional Land Surveyors' Act.

The basic functions of the Board are to conduct examinations, issue certificates and/or licenses and appropriately channel complaints against its licensees. The Board is additionally empowered to suspend or revoke certificates or licenses. On a routine basis, the Board considers the proposed decisions of administrative law judges who hear appeals of applicants who are denied registration and licensees who have had their licenses suspended or revoked for violations.

The Board consists of thirteen members: seven public members, one licensed land surveyor, four registered practice act engineers and one title act engineer. Eleven of the members are appointed by the Governor for four-year terms which expire on a staggered basis. One public member is appointed by the Speaker of the Assembly and one by the Senate President pro Tempore.

The Board has established seven standing committees dealing with land surveying and the various branches of engineering. These committees, each composed of three Board members, approve or deny applications for examinations and register applicants who pass the examinations. Their actions must have the approval of the entire Board, which is routinely forthcoming.

Professional engineers are now licensed through the three Practice Act categories of civil, electrical and mechanical engineering under section 6730 of the Business and Professions Code, and the Title Act categories of agricultural, chemical, control system, corrosion, fire protection, industrial, manufacturing, metallurgical, nuclear, petroleum, quality, safety, and traffic engineering.

Structural engineering and soil engineering are linked to the civil Practice Act and require an additional examination after qualification as a Practice Act engineer.

MAJOR PROJECTS:

Structural Engineering Regulations Adopted and Approved. On July 14,